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WASHINGTON STATE DEPARTMENT OF ECOLOGY

Issuance Date: April 6, 2007
Effective Date: May 1, 2007
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Modification Date: _____

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT NO. WA0037788

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

The Three Rivers Regional Wastewater Authority
(Formerly known as the Cowlitz Sewer Operating Board)
and the Contributing Jurisdictions[a] of

City of Longview ***PO Box 128*** ***Longview, WA 98632***	***City of Kelso*** ***203 S. Pacific Ave*** ***Ste. 217*** ***Kelso, WA 98626***	***Beacon Hill Sewer District*** ***1121 Westside Hwy*** ***Kelso, WA 98626***	***Cowlitz County*** ***207 4th Ave N.*** ***Kelso, WA 98626***

Plant Location: 467 Fibre Way Longview, Washington 98632 Water Body I.D. No.: Old Id No.: WA-CR-1010; New Id No.: 1240014462974	Receiving Water: Columbia River Discharge Location: Latitude: 46° 05' 53" N Longitude: 122° 56' 05" W
Plant Type: Activated Sludge, Chlorine Disinfection	

is authorized to discharge in accordance with the special and general conditions that follow.

Garin Schrieve, P.E.
Southwest Region Manager
Water Quality Program
Washington State Department of Ecology

[a] The Three Rivers Regional Wastewater Plant (TRRWP) is the primary Permittee and has day-to-day responsibility for the treatment plant and all permit conditions, except as otherwise noted. The cities of Longview, and Kelso, the Beacon Hill Sewer District and Cowlitz County are contributing jurisdictions to the treatment plant. The TRRWP has responsibility for the plant and discharge. The jurisdictions are responsible for their respective collection systems and lift stations, and the discharge of waste from their systems to the Three Rivers Waste Water Treatment Plant system.

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GENERAL CONDITIONS

SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Submittals for the Three Rivers Regional Wastewater Treatment Plant

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	Monthly	June 15, 2007
S3.E	Noncompliance Notification	As necessary	
S4.B.	Plans for Maintaining Adequate Capacity	As necessary	
S4.D.	Notification of New or Altered Sources	As necessary	
S4.E.2	Infiltration and Inflow Evaluation	Annually	June 15, 2008
S4.E.4.	Leak Testing Report	1/permit cycle	June 15, 2010
S4.F.	Waste load Assessment	Annually	June 15, 2008
S4.	See additional submittals for the juridictional Permittees below		
S5.B	O&M Manual for pump stations and collection system operated by the TRRWTP	1/permit cycle	November 15, 2009
S5.G.	Operations and Maintenance Manual Update or Review Confirmation Letter	As Completed	6 months after completion of construction of both new biosolids and new clarifiers
S5	See additional submittals for the juridictional Permittees below		
S6.D	Establish Local Limits	1/permit cycle	April 15, 2010
S6.	See additional submittals for the juridictional Permittees below		
S7.	Residual Solids Management Plan	1/permit cycle	April 15, 2010
S8.	Application for permit renewal	1/permit cycle	August 15, 2011
S9.	Receiving Water and Effluent Study Sampling and Quality Assurance Plan	1/permit cycle	September 15, 2007
S9.	Receiving Water and Effluent Study Results	1/permit cycle	March 15, 2010
S10.E	Acute Toxicity Effluent Test Results following tests and with Permit Renewal Application (see S8.)	2/permit cycle	September 15, 2010 & March 15, 2011
S11.E	Chronic Toxicity Effluent Test Results following tests and with Permit Renewal Application (see S8.)	2/permit cycle	September 15, 2010 & March 15, 2011

Permit Section	Submittal	Frequency	First Submittal Date
S12.	Outfall Evaluation	1/permit cycle	November 15, 2008
G1.	Notice of Change in Authorization	As necessary	
G4.	Reporting Planned Changes	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G21	Reporting Anticipated Non-compliance	As necessary	
G22	Reporting Other Information	As necessary	

Submittals for the Following Jurisdictions:

City of Longview, the City of Kelso, the Beacon Hill Sewer District, and Cowlitz County

Permit Section	Submittal	Frequency	First Submittal Date
S4.D.	Notification of New or Altered Sources	As necessary	
S4.E.2	Infiltration and Inflow Evaluation	Annually	June 15, 2008
S6.E.1	Industrial User Survey *	1/permit	November 15, 2008
S4.E.4	Leak testing of pressure lines	1/permit	June 15, 2010
S6.E.2.	Industrial User Survey Update*	Annually	
S5.B.	O&M Manual for Collection System	1/permit	November 15, 2010

*Beacon Hill Sewer District is not required to submit the Industrial User Survey or the Industrial User Survey Update reports.

Modification Date: _____

SPECIAL CONDITIONS

The term "**Permittee**" applies to each of the entities named on the cover of this permit, with the following clarifications:

The Three Rivers Regional Wastewater Treatment Authority (TRRWTP) is the Permittee responsible for the operation the treatment plant. As such, this Permittee is responsible for operation, maintenance, monitoring, reporting and all other permit requirements related to the ultimate treatment and discharge of treated sewage from the Three Rivers Regional Wastewater Treatment Plant (TRRWTP). This Permittee's responsibilities also include any permit requirements related to conveyance systems or trunk lines that are under the authority of the TRRWTP or ownership.

Longview, Kelso, the Beacon Hill Sewer District, and Cowlitz County are the additional Permitted **"Jurisdictions"** responsible for operation of the sewage collection, conveyance and storage facilities within their jurisdictions or under their ownership. As such, these Permittees are responsible for all operation, maintenance, monitoring, reporting and compliance with all other permit requirements related to their respective sewage collection, conveyance and storage systems tributary to the TRRWTP. Included among the applicable requirements for these Permittees are the sections regarding implementation of the Inflow and Infiltration (I/I) management and pretreatment programs within their jurisdictions. Where a permit condition related to the sewage collection, conveyance and storage systems applies to only one of these entities, it will be specified in the appropriate section.

Each of the Permittees shall be held independently responsible for compliance with the permit requirements applicable to their operations as discussed above.

S1. DISCHARGE LIMITATIONS

A. Effluent Limitations

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

1. **Interim limitations** for the term while the facility is operating with three secondary clarifiers.

   Beginning on the effective date and lasting through the end of the calendar month that the "Declaration of Construction" is received by the Department of Ecology (Department) for the re-construction of both north-end clarifiers, the Permittee is authorized to discharge municipal wastewater at the permitted location subject to complying with the following limitations:

	EFFLUENT LIMITATIONS[a]: OUTFALL # 001	
Parameter	**Average Monthly**	**Average Weekly**
Carbonaceous Biochemical Oxygen Demand (5 day)	25 mg/L, 2913 lbs/day 85% removal of influent CBOD	40 mg/L, 4370 lbs/day
Total Suspended Solids	30 mg/L, 3611 lbs/day 85% removal of influent TSS	45 mg/L, 5417 lbs/day
Fecal Coliform Bacteria	200 org./100 ml	400 org./100 ml
Total Residual Chlorine[b]	0.03 mg/L, 7 lbs/day	0.09 mg/L, 20 lbs/day
Total Ammonia (as NH_3-N)	Operate facility to minimize Ammonia[d]	
(May through October)	15 mg/L, 3253 lbs/day (Summer)	33.7 mg/L, 7308 lbs/day (Summer)
(November through April)	22.8 mg/L, 4944 lbs/day (Winter)	51.5 mg/L, 11,167 lbs/day (Winter)
pH[c]	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.	
[a] The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
[b] This effluent limit applies whenever chlorine is used in the facility. If no chlorine is used during the monitoring period enter "no discharge of chlorine" on the DMR for the period.		
[c] Indicates the range of permitted values. The instantaneous maximum and minimum pH shall be reported monthly. The pH shall not be averaged		
[d] The Permittee must make a concerted effort to minimize ammonia in the effluent.		

2. **Final limitations** for the term after the facility completes the re-construction of both north-end secondary clarifiers.

The final effluent limitations will begin once the Department receives a Declaration of Construction of water pollution control facilities [Washington Administrative Code (WAC) 173-240-095] from the Permittee for the replacement of the north-end clarifiers. Beginning on the calendar month following the Department's receipt of this Notice and lasting until the expiration of this permit, the Permittee is authorized to discharge municipal wastewater at the permitted location subject to complying with the following limitations:

	EFFLUENT LIMITATIONS[a]: OUTFALL #001	
Parameter	**Average Monthly**	**Average Weekly**
Carbonaceous Biochemical Oxygen Demand[b] (5 day)	25 mg/L, 3978 lbs/day 85% removal of influent CBOD	40 mg/L, 5867 lbs/day
Total Suspended Solids	30 mg/L, 4815 lbs/day 85% removal of influent TSS	45 mg/L, 7223 lbs/day
Fecal Coliform Bacteria	200 org./100 ml	400 org./100 ml
Total Residual Chlorine[b]	0.03 mg/L, 7 lbs/day	0.09 mg/L, 20 lbs/day

	EFFLUENT LIMITATIONS[a]: OUTFALL #001	
Parameter	**Average Monthly**	**Average Weekly**
Total Ammonia (as NH_3-N)	Operate Facility to Minimize Ammonia	
(May through October)	15 mg/L, 3253 lbs/day (Summer)	33.7 mg/L, 7308 lbs/day (Summer)
(November through April)	22.8 mg/L, 4944 lbs/day (Winter)	51.5 mg/L, 11,167 lbs/day (Winter)
pH[c]	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.	
[a] The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
[b] This effluent limit applies whenever chlorine is used in the facility. If no chlorine is used during the monitoring period enter "no discharge of chlorine" on the DMR for the period.		
[c] Indicates the range of permitted values. The instantaneous maximum and minimum pH shall be reported monthly. The pH shall not be averaged		

B. Mixing Zone Descriptions

The maximum boundaries of the mixing zones are defined as follows:

> This reach of the Columbia River is tidally influenced and the dimensions of the mixing zone boundaries are therefore similar to those of the marine estuary. The chronic mixing zone boundary is not to exceed 235 feet beyond any diffuser port. The width of the chronic mixing zone shall not exceed 25 percent of the width of the Columbia River at the diffuser location. The acute mixing zone boundaries are ten percent of the chronic mixing zone boundaries or 23.5 feet upstream and downstream of the outboard diffuser ports and not to exceed 2.5 percent of the width of the river. The mixing zone extends from the river bottom to the top of the water surface.

The acute dilution factor is 6.4:1 and the chronic dilution factor is 15.6:1.

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule

The Permittee shall monitor in accordance with the following schedule:

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Influent	$CBOD_5$	mg/L lbs/day	Influent	5/week	24-hour composite
Wastewater Influent	TSS	mg/L lbs/day	Influent	5/week	24-hour composite
Wastewater Influent	Flow	MGD	Influent Parshall flume	Continuous[a]	Recording on-line

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	$CBOD_5$	mg/L	Effluent	5/week	24-hour composite
Wastewater Effluent		lbs/day	Effluent	5/week	24-hour composite
Wastewater Effluent		% removal	Effluent	5/week	Calculation
Wastewater Effluent	TSS	mg/L	Effluent	5/week	24-hour composite
Wastewater Effluent		lbs/day	Effluent	5/week	24-hour composite
Wastewater Effluent		% removal	Effluent	5/week	Calculation
Wastewater Effluent	pH	Standard Units	Effluent	Daily	Grab
Wastewater Effluent	Temperature[f]	°C	Effluent	Continuous[a]	Measurement
Wastewater Effluent	Total Residual Chlorine	mg/L	Effluent	Daily	Grab
Wastewater Effluent	Fecal Coliform	Org./100 ml	Effluent	Daily	Grab
Wastewater Effluent	Total ammonia	mg/L	Effluent	1/month	24-hour composite
Pretreatment	As specified in section S6.				
Receiving Water and Effluent Study	(Temperature, ammonia, pH, hardness, & alkalinity)	mg/L	Mixing zone boundary	As specified in project plan to be submitted. See S9.	As specified in future project plan
Acute Toxicity Testing	WET test	As specified in S10.	Final Effluent	Quarterly[b] in year before permit renewal	24-hour composite

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Chronic Toxicity Testing	WET test	As specified in S11.	Final Effluent	Twice[c] in year before permit renewal	24-hour composite
Reapplication Monitoring	Dissolved Oxygen	mg/L	Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	Total Kjeldahl Nitrogen	mg/L N	Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	Nitrate plus Nitrite N	mg/L N	Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	Oil and Grease	mg/L	Effluent	Quarterly[b]	Grab
Reapplication Monitoring	Phosphorus (Total)	mg/L P	Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	Total Dissolved Solids	mg/L	Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	BOD_5 [d]	mg/L	Influent & Effluent	1/month in 2010	24-hour composite
Reapplication Monitoring	Total Hardness	mg/L	Effluent	Quarterly[b]	grab
Reapplication Monitoring	EPA Priority Pollutants - metals, cyanide and total phenols. 1M-15M	µg/L	Influent & Effluent	Quarterly[b]	24-hour composite
Reapplication Monitoring	EPA Priority Pollutants – Volatile Organic Compounds. 1V – 31V	µg/L	Influent & Effluent	1/year[e]	24-hour composite
Reapplication Monitoring	EPA Priority Pollutants – Acid-extractable compounds 1A – 11A	µg/L	Influent & Effluent	1/year[e]	24-hour composite

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Reapplication Monitoring	EPA Priority Pollutants – Base-neutral compounds 1B – 46B	µg/L	Influent & Effluent	1/year[e]	24-hour composite

[a] Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken twice daily when continuous monitoring is not possible.

[b] Quarterly samples for acute WET testing means: April 15, 2010; July 15, 2010; October 15, 2010; and January 15, 2011. Samples from each event must include testing on one fish and one invertebrate as described in section S.10.

[c] Twice in one year sampling for chronic WET testing means: July 15, 2010 & January 15, 2011. Samples from each event must include testing on one fish and one invertebrate as described in section S.11.

[d] Monitor BOD_5 once per month in the last year before the permit application is due in 2011. Sample each BOD_5 at the same time that a $CBOD_5$ is taken.

[e] Yearly samples are to be reported each year with the July Discharge Monitoring Reports.

[f] Temperature shall be reported as a daily maximum, seven-day running average of the daily maximum, and the monthly maximum of the seven-day running average of the daily maximum. When continuous recording is not available, temperature must be monitored twice daily. Once near the late morning and once in the late afternoon.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136.

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. The Department exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S3. REPORTING AND RECORDING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department. DMR forms shall be postmarked or received by the Department no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Priority pollutant analysis data shall be submitted no later than 45 days following the monitoring period. Unless otherwise specified, all toxicity test data shall be submitted within 60 days after the sample date. The report(s) shall be sent to the: Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected. Analytical results from samples sent to a contract laboratory must have information on the chain of custody, the analytical method, QA/QC results, and documentation of accreditation for the parameter.

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved

litigation regarding the discharge of pollutants by the Permittee or when requested by the Department.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of such monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Twenty-four Hour Notice of Noncompliance Reporting

1. The Permittee must take the following action upon violation of any permit condition:

   Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem and, if applicable, immediately repeat sampling and analysis. The results of any repeat sampling shall be submitted to the Department within 30 days of sampling.

2. The Permittee must report the following occurrences of noncompliance by telephone, to the Department at (360) 407-6300, within 24 hours from the time the Permittee becomes aware of the circumstances:

   a. any noncompliance that may endanger health or the environment (e.g. a fecal coliform measurement in the effluent which is too numerous to count);

   b. any unanticipated bypass that exceeds any effluent limitation in the permit (See Part S5.F., “Bypass Procedures”);

   c. any upset that exceeds any effluent limitation in the permit (See G.15, “Upset”);

   d. any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in S1.A.; or

   e. any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

3. The Permittee must also provide a written submission within five (5) days of the time that the Permittee becomes aware of any event required to be reported under subpart 1, above. The written submission must contain:

   a. a description of the noncompliance and its cause;

   b. the period of noncompliance, including exact dates and times;

   c. the estimated time noncompliance is expected to continue if it has not been corrected;

   d. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and

   e. if the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours of the noncompliance.

5. Reports must be submitted to the address in S3 (“Reporting and Recordkeeping Requirements”).

F. Immediate Noncompliance Notification

Any failure of the disinfection system shall be reported immediately to the Department of Ecology's Regional Office 24-hour number (360) 407-6300.

G. Other Noncompliance Reporting

The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for S3.A ("Reporting") are submitted. The reports must contain the information listed in paragraph E above (“Twenty-four Hour Notice of Noncompliance Reporting”). Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

H. Maintaining a Copy of This Permit

A copy of this permit must be kept at the facility and be made available upon request to Department inspectors.

S4. FACILITY LOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded:

Average flow for the maximum month: 26.0 MGD*

BOD_5 loading for maximum month:	31,200 lbs/day
TSS loading for maximum month:	32,100 lbs/day

*An interim facility capacity is 19.5 MGD for the maximum month while the north plant clarifiers are replaced. The interim BOD_5 and TSS limits in S1 reflect this reduced capacity.

B. Plans for Maintaining Adequate Capacity

The Permittee shall submit to the Department a plan and a schedule for continuing to maintain capacity when:

1. The actual flow or waste load reaches 85 percent of any one of the design criteria in S4.A for three consecutive months; or

2. The projected increase would reach design capacity within five (5) years,

whichever occurs first. If such a plan is required, it shall contain a plan and schedule for continuing to maintain capacity. The capacity as outlined in this plan must be sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet the objective of maintaining capacity.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.

3. Limitation on future sewer extensions or connections or additional waste loads.

4. Modification or expansion of facilities necessary to accommodate increased flow or waste load.

5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or waste load.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. If the Permittee intends to apply for State or Federal funding for the design or construction of a facility project, the plan must also meet the requirements of a “Facility Plan” as described in 40 CFR 35.2030. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment

D. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or a substantial change in volume or character of an existing discharge into the Publicly Owned Treatment Works (POTW) is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the POTW; (2) is not part of an approved general sewer plan or approved plans and specifications; or (3*)* would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the POTW's ability to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the POTW, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

E. Infiltration and Inflow Evaluation

1. The Permittees (**the TRRWTP, Longview, Kelso, Beacon Hill Sewer District, and Cowlitz County**) shall each conduct an infiltration and inflow evaluation for their portion of the collection system. Refer to the U.S. Environmental Protection Agency (EPA) publication, *I/I Analysis and Project Certification*, available as Publication No. 97-03 at: Publications Office, Department of Ecology, P.O. Box 47600, Olympia, Washington 98504-7600. Plant monitoring records may be used to assess measurable infiltration and inflow.

2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the first report based on equivalent rainfall, the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem. The reports shall be submitted by **June 15, 2008**, and **annually** thereafter.

3. Any infiltration or inflow identified in segments of the collection system which are under or adjacent to surface water (50 feet) shall be further characterized for the existence of exfiltration.

4. The portion of the collection system which operates at greater than atmospheric pressure shall be leak test for exfiltration once per permit with a report due by **June 15, 2010**.

F. Waste load Assessment

The Permittee shall conduct an assessment of their flow and waste load and submit a report to the Department by **June 15, 2008,** and **annually** thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings;

and the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if the Department determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Certified Operator

An operator certified for at least a Class IV plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class III plant shall be in charge during all regularly scheduled shifts.

B. Operation and Maintenance (O&M) Program

The Permittees (**applies to each jurisdiction to the extent they are responsible for its mechanical components**) shall institute an adequate operation and maintenance program for the sewage system tributary to TRRWTP. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the pumping stations and sewage collection system. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

In addition, **the TRRWTP, Longview, Kelso, the Beacon Hill Sewer District and Cowlitz County** shall develop, submit, and maintain O&M Procedure Manuals for pump stations, lagoons, equalization basins and other critical components that are used through out the collection system tributary to the TRRWTP. An O&M Manual is due for these portions of the collection system by **November 15, 2010**. The manual must be updated as necessary when improvements are made.

These O&M Manuals shall be prepared by the Permittees in accordance with WAC 173-240-080 to the extent practicable, and be submitted to the Department for approval. In addition to requirements of WAC 173-240-080 (1) through (5) the O&M Manual shall include:

1. Emergency procedures for plant shutdown and cleanup in the event of wastewater system upset or failure.

2. Wastewater system maintenance procedures that contribute to the generation of process wastewater.

3. Any directions to maintenance staff when cleaning, or maintaining other equipment or performing other tasks which are necessary to protect the operation of the wastewater system (e.g., defining maximum allowable discharge rate for draining a tank, blocking all floor drains before beginning the overhaul of a stationary engine, etc.).

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of its obligations under this permit.

D. Electrical Power Failure

The Permittees (including all jurisdictions) are responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes.

The Permittee (this applies only to the TRRWTP) shall maintain Reliability Class II (EPA 430/9-74-001) at the wastewater treatment plant, which requires a backup power source sufficient to operate all vital components and critical lighting and ventilation during peak wastewater flow conditions, except vital components used to support the secondary processes (i.e., mechanical aerators or aeration basin air compressors) need not be operable to full levels of treatment, but shall be sufficient to maintain the biota.

E. Prevent Connection of Inflow

The Permittees (shall strictly enforce their jurisdictional sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

   Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass. The Permittee shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated and results in noncompliance of this permit.

   This bypass is permitted only if:

   a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

   b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

   c. The Department is properly notified of the bypass as required in condition S3E of this permit.

3. Bypass which is anticipated and has the potential to result in noncompliance of this permit

   The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

   For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

   The Department will consider the following prior to issuing an administrative order for this type bypass:

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under Revised Code of Washington (RCW) 90.48.120.

G. Operations and Maintenance Manual

The approved Operations and Maintenance (O&M) Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this manual.

The O&M Manual shall be updated and a review confirmation letter must be sent to the Department **within six months** of **completion of construction** of the new biosolids facility and the new clarifiers.

S6. PRETREATMENT

The following subsections A through C **applies only to the contributing jurisdictions of Longview, Kelso, Beacon Hill, and Cowlitz County**:

A. General Requirements

The Permittees (the jurisdictions) shall work with the Department to ensure that all commercial and industrial users of the POTW are in compliance with the pretreatment regulations promulgated in 40 CFR Part 403 and any additional regulations that may be promulgated under Section 307(b) (pretreatment) and 308 (reporting) of the Federal Clean Water Act.

B. Wastewater Discharge Permit Required

The Permittees (the jurisdictions) shall not allow significant industrial users (SIUs) to discharge wastewater to the Permittee's sewerage system until such user has received a wastewater discharge permit from the Department in accordance with Chapter 90.48 RCW and Chapter 173-216 WAC, as amended.

C. Identification and Reporting of Existing, New, and Proposed Industrial Users

1. The Permittees (the jurisdictions) shall take continuous, routine measures to identify all existing, new, and proposed SIUs and potential significant industrial users (PSIUs) discharging or proposing to discharge to the Permittee's sewerage system (see Appendix B of Fact Sheet for definitions).

2. Within 30 days of becoming aware of an unpermitted existing, new, or proposed industrial user who may be an SIU, the Permittee shall notify such user by registered mail that, if classified as an SIU, they shall be required to apply to the Department and obtain a State Waste Discharge Permit. A copy of this notification letter shall also be sent to the Department within this same 30-day period.

3. The Permittees (the jurisdictions) shall also notify all PSIUs, as they are identified, that if their classification should change to an SIU, they shall be required to apply to the Department for a State Waste Discharge Permit within 30 days of such change.

D. Establishing Local Limits [**This applies to the Three Rivers Regional Wastewater Plant (TRRWP)**]

The Permittee (the TRRWP) shall determine pollutants of concern for local limits by collecting and analyzing samples of the influent and effluent on at least two different days for each pollutant listed in 40 CFR part 122.21(j) [reference EPA National Pollutant Discharge Elimination System (NPDES) application form 2A]. Any pollutant received at concentrations in raw wastewater greater than the water quality criteria, or exiting the POTW at concentrations greater than 10 percent of the applicable water quality criteria established by EPA shall be considered a pollutant of concern. The Permittee may use this information to satisfy a portion of the reapplication requirements of EPA form 2A.

The Permittee shall determine the maximum allowable headworks loadings which the POTW can receive by taking samples of the influent and effluent on eight (8) different days for the following pollutants and the previously identified pollutant of concern: Antimony, Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Zinc, BOD5, and TSS. The combined list shall be known as Local Limits pollutants.

Based on the information collected, together with information specific to the POTW, the Permittee shall propose a concentration limit or mass limit for each Local Limits pollutant which allocates available loadings to current and future non-domestic sources. If a general reserve is established, the POTW shall propose a process for allocating the reserve for new businesses. For BOD_5 and TSS, the total of loadings thus allocated must be no greater than the recognized treatment capacity of the POTW in section S5 of this permit.

The Permittee shall submit the recommended local limits to the Department for approval along with the basis for these limits. After incorporation of the Department comments, the Permittee (the TRRWP) shall recommend the subsequent local limits for adoption by all the individual contributing jurisdictions (Longview, Kelso, Beacon Hill, and Cowlitz

County). The Permittee shall recommend local limits and submit a report of these limits to the Department by **April 15, 2010**.

E. Industrial User Survey (**applies to the individual jurisdictions of Longview, Kelso, and Cowlitz County**):

1. **The Permittees (the Jurisdictions) shall perform an Industrial User Survey** and submit the results to the Department by **November 15, 2008, and once every five (5) years thereafter**. The survey effort shall begin with the Permittee compiling a master list of businesses to survey based on their potential to discharge wastewater distinct from domestic wastewater in character or strength. This list shall be developed by at least a telephone book search, a water utility billing records search, and a physical reconnaissance of the service area.

   The Permittees shall develop and compel completion of survey forms, and collect and maintain signed survey forms for all businesses identified on the master list as potentially discharging non-domestic wastewater. The Permittee shall compile the following information on these businesses from completed survey forms: The business name, contact, telephone number, address, process(es) generating wastewater, wastewater volumes, non-domestic characteristics or pollutants (concentrations if known).

   The Permittee shall also make an initial categorization of each business surveyed based on the returned survey forms (as either Categorical, Significant, Minor, or Domestic-equivalent). For businesses holding a valid State Waste Discharge Permit to discharge wastewater to the Permittee's sanitary sewer system, the Department issued permit number may be listed in lieu of requiring and compiling survey information from that business. The survey report shall include the master list, the compiled information, the names of the industries on the survey for which detailed information was not collected, the rationale for their categorization, and signed surveys from identified Categorical or Significant industries which do not possess valid State Waste Discharge Permits. For assistance with the Industrial User Survey, the Permittee may refer to the Department's guidance document entitled "Performing an Industrial User Survey."

2. **The Permittees (the jurisdictions)** shall **annually** update this survey based on information gained over the prior calendar year from ongoing review processes (e.g. plan reviews, review of water billing records, business license and permit applications, physical reconnaissance, etc.) and summarize the results of survey forms which it shall require of industries and commercial operations discharging nondomestic wastewater that started business or significantly changed processes during the previous calendar year. The update shall show the deletions and additions to the prior year's list and shall include completed survey forms for all unpermitted industries which the Permittee considers a "Categorical Industrial User" or "Significant Industrial User." The update shall be submitted to the Department by **November 15, 2009,** and **annually** thereafter.

F. Establishment of Local Limits (applies to each jurisdiction)

Each jurisdiction shall codify a pretreatment ordinance within one calendar year of being provided recommended limits by the Three Rivers Regional Wastewater Plant. The ordinance shall reinforce pretreatment standards and requirements including: prohibited discharge standards, requirements to obtain a permit, the recommended local limits, and requirements to complete periodic surveys. The Ordinance shall also provide remedies for non-compliance with these provisions. The Cowlitz County ordinance shall be written to be applicable to all sources of wastewater tributary to the Three Rivers Regional Wastewater Plant outside of Longview and Kelso. The Beacon Hill Sewer District shall comply to the extent the authorities granted to sewer districts in these regards allows. Upon request, the Department will provide a format for a pretreatment ordinance into which local limits may be inserted.

G. Duty to Enforce Discharge Prohibitions (applies to all permittees)

1. In accordance with 40 CFR 403.5(a), the Permittee shall not authorize or knowingly allow the discharge of any pollutants into its POTW which cause pass through or interference, or which otherwise violates general or specific discharge prohibitions contained in 40 CFR Part 403.5 or WAC-173-216-060.

2. The Permittee shall not authorize or knowingly allow the introduction of any of the following into their treatment works:

   a. Pollutants which create a fire or explosion hazard in the POTW (including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21).

   b. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, or greater than 11.0 standard units, unless the works are specifically designed to accommodate such discharges.

   c. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the POTW.

   d. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

   e. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through.

   f. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems.

   g. Heat in amounts that will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities such that the temperature at the POTW headworks exceeds 40ºC (104ºF) unless

the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.

h. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.

i. Wastewaters prohibited to be discharged to the POTW by the Dangerous Waste Regulations (Chapter 173-303 WAC), unless authorized under the Domestic Sewage Exclusion (WAC 173-303-071).

3. All of the following are prohibited from discharge to the POTW unless approved in writing by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or the need to augment sewage flows due to septic conditions):

a. Noncontact cooling water in significant volumes.

b. Stormwater, and other direct inflow sources.

c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment, or would not be afforded a significant degree of treatment by the system.

4. The Permittee (all permittees) shall notify the Department if any industrial user violates the prohibitions listed in this section.

S7. RESIDUAL SOLIDS

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters. The Permittee shall submit a residual solids management plan to the Department by **April 15, 2011.**

S8. APPLICATION FOR PERMIT RENEWAL

The Permittee shall submit an application for renewal of this permit by **August 15, 2011**.

S9. RECEIVING WATER AND EFFLUENT STUDY

The Permittee shall collect receiving water information necessary for the Department to determine if the effluent has a reasonable potential for ammonia-N to cause a violation of the water quality standards. If reasonable potential exists the Department will use this information to calculate effluent limits. All sampling and analysis shall be conducted in accordance with the guidelines given in *Guidelines and Specifications for Preparing Quality Assurance Project Plans*, Ecology Publication 91-16. The Permittee shall submit a sampling and quality assurance plan for Department review and approval **September 15, 2007**.

The Permittee shall sample and analyze the receiving water for total suspended solids, hardness, alkalinity, temperature, pH, and salinity. The study could initially measure the pH, temperature and ammonia-N at several depths. Subsequent research could be based on these initial

measurements and a sampling program established to determine the background pH, temperature and ammonia at the edge of the Permittee's mixing zone boundary. The initial sampling should determine the critical time of the year to sample based on high pH and ammonia toxicity.

A final report with results of the receiving water and effluent study is due to the Department by **March 15, 2010.**

S10. ACUTE TOXICITY

A. Testing Requirements

The Permittee shall test final effluent once in the last summer by **September 15, 2010,** and once in the last winter by **March 15, 2011.** Results are to be submitted **within 30 days** of the completion dates and **again with the permit renewal application (see S.8)**. The two species listed below shall be used on each sample and the results submitted to the Department as a part of the permit renewal application process. The Permittee shall conduct acute toxicity testing on a series of five concentrations of effluent and a control in order to be able to determine appropriate point estimates and an NOEC. The percent survival in 100 percent effluent shall also be reported.

Acute toxicity tests shall be conducted with the following species and protocols:

1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).

2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012). The Permittee shall choose one of the three species and use it consistently throughout effluent characterization.

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 0 - 6 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A and Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five (5) effluent concentrations and a control. The series of concentrations must include the ACEC.

S11. CHRONIC TOXICITY

A. Testing Requirements

The Permittee shall test final effluent once in the last summer by **September 15, 2010,** and once in the last winter by **March 15, 2011.** Results are to be submitted **within 30 days** of the completion dates and **again with the permit renewal application (see S8.)**. All of the chronic toxicity tests listed below shall be conducted on each sample. The results of this chronic toxicity testing shall be submitted to the Department as a part of the permit renewal application process.

The Permittee shall conduct chronic toxicity testing on a series of at least five (5) concentrations of effluent and a control in order to be able to determine appropriate point estimates and an NOEC. This series of dilutions shall include the acute critical effluent concentration (ACEC). The ACEC equals 15.6 percent effluent. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

Chronic toxicity tests shall be conducted with the following species and the most recent version of the following protocols:

Freshwater Chronic Test	Species	Method
Fathead minnow	*Pimephales promelas*	EPA-821-R-02-013
Water flea	*Ceriodaphnia dubia*	EPA-821-R-02-013

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 0 - 6 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A and Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

S12. OUTFALL EVALUATION

The Permittee shall inspect the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in the report. By **November 15, 2008,** the inspection report shall be submitted to the Department.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.

B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section shall make the following certification:

> I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.

C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:

1. Violation of any permit term or condition.

2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.

3. A material change in quantity or type of waste disposal.

4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR Part 122.64(3)].

5. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR Part 122.64(4)].

6. Nonpayment of fees assessed pursuant to RCW 90.48.465.

7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:

1. A material change in the condition of the waters of the state.

2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.

4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.

5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.

6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.

7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7 of this section, and the Department determines that modification or revocation and reissuance is appropriate.

2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

G4. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than 60 days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation of the terms and conditions of this permit.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least 180 days prior to the planned start of construction unless a shorter time is approved by the Department. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.

2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.

3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G8. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit.

G11. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G12. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G13. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G15. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as

required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G16. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G17. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G18. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G19. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than ten thousand dollars ($10,000) per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than twenty thousand dollars ($20,000) per day of violation, or by imprisonment of not more than four (4) years, or by both.

G20. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least 180 days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Department.

G21. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Department, it shall promptly submit such facts or information.

G22. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.